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jc849 U.S. PTO

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2300-0037.04
PATENT

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09/931216
08/16/01

REQUEST FOR FILING CONTINUATION/DIVISIONAL APPLICATION

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

☒ "Express Mail" Mailing Label No. EL 873 906 645 US Date of Deposit August 16, 2001
I hereby certify that this paper or fee is being deposited with the United States Postal Service
"Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above
and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Patricia K. Himes
(Typed or Printed Name of Person Mailing Paper or Fee)

Patricia K. Himes
(Signature of Person Mailing Paper or Fee)

Sir:

This is a request for filing a X continuation divisional application under 37 C.F.R.
1.53(b)(1), of pending prior application serial no. 08/449,070 filed on May 24, 1995, of Lawrence S.
Cousens, Patricia A. Tekamp-Olson, Jeffrey R. Shuster and James P. Merryweather for EXPRESSION
USING FUSED GENES PROVIDING FOR PROTEIN PRODUCT.

1. X Enclosed is an application filed under 37 C.F.R. 1.53(b)(1). No new matter has been added.
2. Applicant(s) claim(s) small entity status.
3. X The filing fee is calculated below:


A.	Basic Application Fee		\$710
B.	Total Claims 7 - 20 = 0	x \$18	0
C.	Independent Claims 2 - 3 = 0	x \$80	0
D.	If multiple claims present, add	\$270	0
E.	Total Application Fee (Total of A, B, C & D)	=	<u>\$710</u>
F.	If small entity status is claimed, reduce Total Application Fee by 50%		<u>0</u>
G.	Total Fee Due (E - F)	=	\$710

4. X The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.
5. X A check to cover the \$ 710 application fee is attached.
6. X ~~Cancel~~ in this application original claims 2-17 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
7. X The inventor(s) of the invention being claimed in this application is (are): Lawrence S. Cousens, Patricia A. Tekamp-Olson, Jeffrey R. Shuster and James P. Merryweather.
8. This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.53(b)(1), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application: .
9. X Amend the specification by inserting before the first line the sentence:
This application is a X continuation divisional of U.S. Patent Application Serial No. 08/449,070, filed May 24, 1995, which is a continuation of U.S. Serial No. 08/088,566, filed July 6, 1993 from which applications priority is claimed pursuant to 35 U.S.C. §120 and which applications are incorporated herein by reference in their entireties.
10. X The prior application is assigned of record to Chiron Corporation.
11. X A preliminary amendment is enclosed.
12. X Also enclosed: Blanket Petition for Extension of Time and Authorization to Charge or Credit Deposit Account, postcard.
13. X The power of attorney in the prior application is to Roberta L. Robins, Reg. No. 33,208.
 - a. X The power appears in the original papers in the prior application.
 - b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
 - c. X Recognize the following individuals as Associate Attorneys: Lisa E. Alexander, Reg. No. 41,576, Robert P. Blackburn, Reg. No. 30,447, Anne S. Dollard, Reg. No. 43,935, Joseph H. Guth, Reg. No. 31,261, Alisa A. Harbin, Reg. No. 33,895, Charlene A. Launer, Reg. No. 33,035, David P. Lentini, Reg. No. 33,944, Kimberlin L. Morley, Reg. No. 35,391, Dahna S. Pasternak, Reg. No. 41,411 and Gary R. Fabian, Ph.D., Reg. No. 33,875.

d. X Address all future communications to Lisa E. Alexander at:

X CHIRON CORPORATION
Intellectual Property - R440
P.O. Box 8097
Emeryville, CA 94662-8097
Telephone: (510) 923-2585
Facsimile: (510) 655-3542.

8/16/01
(date)



(Attorney of Record)
Roberta L. Robins
Reg. No. 33,208

Address of signator:

 inventor(s)
 assignee of complete interest
X attorney or agent of record

— filed under § 1.34(a)

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Patricia K. Ammes
Typed or Printed Name of Person Mailing Paper or Fee

Patricia K. Ammes
Signature of Person Mailing Paper or Fee

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

COUSENS et al.

Serial No.: CON of 08/449,070

Group Art Unit: Unassigned

Filing Date: Herewith

Examiner: Unassigned

Title: EXPRESSION USING FUSED GENES PROVIDING FOR PROTEIN
PRODUCT

BLANKET PETITION FOR EXTENSION OF TIME AND
AUTHORIZATION TO CHARGE OR CREDIT DEPOSIT ACCOUNT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

If a paper is untimely filed in this application or any file wrapper continuation application derived therefrom by applicant(s) or her/his/their representative, the Commissioner is hereby petitioned under 37 C.F.R. § 1.136(a) for the minimum extension of time required to make said paper timely. In the event a petition for extension of time is made under the provisions of this paragraph, the Commissioner is hereby requested to charge any fee required under 37 C.F.R. § 1.17(a)-(d) to Deposit Account No. 18-1648. This, however, is not authorization to pay the issue fee.

If a paper is concurrently or subsequently filed in this application or any file wrapper continuation application derived therefrom by applicant(s) or her/his/their representative and a fee under 37 C.F.R. §§ 1.16-1.17 is required to effect any amendment, petition or other action requested in said paper, the Commissioner is hereby requested to charge any deficiency in said fee, or credit any overpayment of said fee, to Deposit Account No. 18-1648. This, however, is not authorization to pay the issue fee.

Respectfully submitted,

Date: 8/16/01

By: Roberta L. Robins
Roberta L. Robins
Registration No. 33,208

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